

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:05cv394**

MICHAEL G. WATKINS,)	
)	
Plaintiff,)	
)	
Vs.)	ORDER
)	
JOANNE BARNHART, Commissioner of Social Security,)	
)	
Defendant.)	
)	

THIS MATTER is before the court upon the Commissioner's Motion for Remand Pursuant to Sentence Six of 42 U.S.C. § 405(g) (#7). Review of the Commissioner's motion and the pleadings reveals that good cause has been shown and that counsel for plaintiff's consents to the relief sought. See Melkonyan v. Sullivan, 501 U.S. 89, 101 n.2 (1991); Shalala v. Schaefer, 113 S.Ct. 2625, 2629 n.2. (1993). Remand is necessary because significant portions of the tape of the hearing held on August 19, 2004, are inaudible. Upon receipt of this Order, the Appeals Council will remand this case to the Administrative Law Judge for a *de novo* hearing.

ORDER

IT IS, THEREFORE, ORDERED that, pursuant to sentence six of 42 U.S.C. § 405(g), this case is REMANDED to the Commissioner in order for an Administrative Law Judge to conduct a *de novo* hearing. No judgment shall be entered in this matter at this time.

Signed: March 23, 2006

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

